

**House File 408 - Introduced**

HOUSE FILE 408

BY KELLEY

**A BILL FOR**

1 An Act relating to city emergency warning systems by requiring  
2 that each city establish, operate, and maintain an emergency  
3 warning system, creating a city emergency warning systems  
4 grant fund, and making appropriations.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 29C.20C City emergency warning  
2 systems grant fund.

3 1. A city emergency warning systems grant fund is created  
4 in the state treasury under the control of the administrator  
5 of the homeland security and emergency management division of  
6 the department of public defense. The fund shall consist of  
7 appropriations made to the fund by the general assembly and  
8 any other moneys available to and obtained or accepted by the  
9 administrator from the federal government or private sources  
10 for deposit in the fund.

11 2. Notwithstanding section 8.33, moneys remaining in the  
12 city emergency warning systems grant fund at the end of a  
13 fiscal year shall not revert to the general fund of the state.  
14 Notwithstanding section 12C.7, subsection 2, interest or  
15 earnings on moneys in the city emergency warning systems grant  
16 fund shall be credited to the fund.

17 3. A city may apply to the administrator for a city  
18 emergency warning systems grant to pay all or a portion of the  
19 cost to establish, expand, upgrade, or modernize an emergency  
20 warning system. The administrator may award a city emergency  
21 warning systems grant to a city if the administrator determines  
22 that the city is eligible under subsection 4. A city applying  
23 for a grant under this section shall apply on forms and  
24 according to instructions provided by the administrator.

25 4. The administrator shall adopt, by rule, standards and a  
26 process for evaluating applications for city emergency warning  
27 systems grants. The administrator shall give priority to  
28 cities that have not established an emergency warning system  
29 prior to the submission of an application.

30 5. There is appropriated annually to the administrator for  
31 the fiscal period beginning July 1, 2013, and ending June 30,  
32 2019, moneys in the fund necessary to award grants under this  
33 section.

34 6. This section is repealed effective June 30, 2019. Moneys  
35 in the city emergency warning systems grant fund on June 30,

1 2019, shall be transferred to the rebuild Iowa infrastructure  
2 fund, created in section 8.57, subsection 5.

3 Sec. 2. NEW SECTION. 364.16A **Emergency warning systems.**

4 Each city shall, by July 1, 2018, establish an emergency  
5 warning system that incorporates, at a minimum, a tornado  
6 siren, and that may include other emergency warning devices,  
7 as deemed appropriate by the city. Upon establishment of an  
8 emergency warning system, a city shall operate and maintain the  
9 system.

10 Sec. 3. EMERGENCY WARNING SYSTEMS APPROPRIATIONS — FY  
11 2013-2014 THROUGH FY 2015-2016. There is appropriated from  
12 the rebuild Iowa infrastructure fund to the homeland security  
13 and emergency management division of the department of public  
14 defense for the following fiscal years the following amounts,  
15 or so much thereof as is necessary, to be used for the purposes  
16 designated, notwithstanding section 8.57, subsection 5,  
17 paragraph "c":

18 For deposit in the city emergency warning systems grant fund  
19 created in section 29C.20C:

20 FY 2013-2014.....	\$ 5,000,000
21 FY 2014-2015.....	\$ 5,000,000
22 FY 2015-2016.....	\$ 5,000,000

23 Sec. 4. CITY EMERGENCY WARNING SYSTEMS NEEDS STUDY AND  
24 REPORT.

25 1. The administrator of the homeland security and emergency  
26 management division of the department of public defense  
27 shall, beginning on July 1, 2016, initiate and coordinate the  
28 establishment of a city emergency warning system needs study.  
29 The study shall focus on the progress made by Iowa cities in  
30 establishing, expanding, upgrading, or modernizing emergency  
31 warning systems and on the remaining financial needs of cities  
32 relating to the establishment of emergency warning systems.

33 2. The administrator of the homeland security and  
34 emergency management division of the department of public  
35 defense shall prepare a report for delivery to the general

1 assembly, the chairpersons of the joint appropriations  
2 subcommittee on transportation, infrastructure, and capitals,  
3 and the governor no later than January 1, 2017, regarding  
4 the progress made by Iowa cities in establishing, expanding,  
5 upgrading, or modernizing emergency warning systems and  
6 on the remaining financial needs of cities relating to the  
7 establishment of emergency warning systems. The report shall  
8 make recommendations to the general assembly and the governor  
9 relative to any remaining financial needs of cities.

10 Sec. 5. STATE MANDATE FUNDING SPECIFIED. In accordance  
11 with section 25B.2, subsection 3, fifteen million dollars and  
12 certain interest and earnings are specified as the state cost  
13 of requiring compliance with any state mandate included in this  
14 Act. This specification of the amount of the state cost shall  
15 be deemed to meet all the state funding-related requirements  
16 of section 25B.2, subsection 3, and no other specific state  
17 funding shall be necessary for the full implementation of  
18 this Act by and enforcement of this Act against all affected  
19 political subdivisions.

20 EXPLANATION

21 This bill requires that each city establish, operate, and  
22 maintain an emergency warning system, creates a city emergency  
23 warning systems grant fund, and makes appropriations.

24 The bill requires that each city establish an emergency  
25 warning system that incorporates, at a minimum, a tornado  
26 siren, by July 1, 2018. The bill also requires that a city  
27 operate and maintain the emergency warning system.

28 A city emergency warning systems grant fund is created in  
29 new Code section 29C.20C under the control of the administrator  
30 of the homeland security and emergency management division of  
31 the department of public defense. A city may apply to the  
32 administrator for a city emergency warning systems grant to  
33 establish, expand, upgrade, or modernize an emergency warning  
34 system. The administrator is required to adopt standards and a  
35 process for evaluating applications for grants and shall give

1 priority to cities that have not previously established an  
2 emergency warning system. Interest or earnings on moneys in  
3 the city emergency warning systems grant fund shall be credited  
4 to the fund. Moneys remaining in the city emergency warning  
5 systems grant fund at the end of a fiscal year shall not revert  
6 to the general fund.

7 The bill further provides for the appropriation of \$5  
8 million to the homeland security and emergency management  
9 division from the rebuild Iowa infrastructure fund for deposit  
10 in the city emergency warning systems grant fund each fiscal  
11 year of the fiscal period beginning July 1, 2013, and ending  
12 June 30, 2016.

13 New Code section 29C.20C, establishing the grant fund, is  
14 repealed by its own terms effective June 30, 2019. Moneys  
15 remaining in the city emergency warning systems grant fund  
16 on June 30, 2019, shall be transferred to the rebuild Iowa  
17 infrastructure fund, created in Code section 8.57, subsection  
18 5. Pursuant to Code section 8.57, subsection 5, paragraph "h",  
19 the department of public defense shall be required to report  
20 to the department of management and the legislative services  
21 agency on the status of all projects completed or in progress  
22 by January 15 of each fiscal year.

23 The bill requires that the administrator of the homeland  
24 security and emergency management division initiate and  
25 coordinate the establishment of a city emergency warning  
26 systems needs study to focus on the progress made by Iowa  
27 cities in establishing, expanding, upgrading, or modernizing  
28 emergency warning systems and on the remaining financial  
29 needs of cities relating to the establishment of emergency  
30 warning systems. The bill further requires the administrator  
31 to prepare a report on such issues to the general assembly,  
32 the chairpersons of the joint appropriations subcommittee on  
33 transportation, infrastructure, and capitals, and the governor  
34 by January 1, 2017.

35 The bill may include a state mandate as defined in Code

1 section 25B.3. The bill specifies that the \$15 million in  
2 appropriations is deemed to meet the state funding-related  
3 requirements of any state mandate included in the bill. The  
4 specification is deemed to constitute state compliance with  
5 any state mandate funding-related requirements of Code section  
6 25B.2. The inclusion of this specification is intended to  
7 reinstate the requirement of political subdivisions to comply  
8 with any state mandates included in the bill.